

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

LEONARD A. SZPLETT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:19-cv-02500
)	
KENCO LOGISTIC SERVICES, LLC, a)	Judge Gary Feinerman
Tennessee Limited Liability Company, Mars,)	Magistrate Judge Young B. Kim
Inc., The Hartford, DAVID JABALEY, MARIO)	
LOPEZ, TAMMI FOWLER, PAULA HISE,)	
TRACE SPIER, ROBERT COFFEY, TODD)	
MOORE, JAY ELLIOT, DAVID CAINES,)	
MICHAEL MANZELLO, DAVID CRAWLEY,)	
and KELVIN WALSH,)	
)	
Defendants.)	

INITIAL STATUS REPORT¹

Defendants, by and through undersigned counsel, submit the following Initial Status report:

A. Nature of the Case

1. Attorneys of record, and lead trial counsel, for each party.

Plaintiff Leonard Szplett – pro se
3421 W. 1500 North Rd.
Kankakee, IL 60901

Defendant, The Hartford
Donald Murday (lead trial counsel)
Joseph Jeffrey
Chittenden, Murday & Novonty
303 W. Madison St., Suite 1400
Chicago, IL 60606

Defendants Mars, Inc., Robert Coffey and Todd Moore
Tom Davies (lead trial counsel)
Kimberly Overbaugh

¹ Defendants provided a copy of the Initial Status Report to Plaintiff via email but did not receive a response as of the time that the report is being filed.

Harmon Davies
2306 Columbia Ave.
Lancaster, PA17603

The Kenco Defendants -

Jody Moran (lead trial counsel)
Julia Argentieri
Jackson Lewis P.C.
150 N. Michigan
Suite 2500
Chicago, IL 60601

2. Basis for federal jurisdiction.
Federal Question (28 U.S.C 1331)
3. Nature of the claim(s) and counterclaim(s), including the amount of damages and other relief sought. **42 U.S.C 1981 Discrimination and RICO Civil Conspiracy 18 U.S.C. 1962**
4. Whether the defendant will answer the complaint or, alternatively, whether the defendant will otherwise plead to the complaint. **Defendants filed Motions to Dismiss on 7/8/19**
5. Principal legal and factual issues. **Whether Complaint is Time-Barred; Whether Complaint Violates Short, Plain Statement Requirements Under Federal Rules**
6. Which defendants have been served with process, which defendants have not been served, and the status of efforts to effect service on the unserved defendants. **All Defendants have appeared with the exception of Mario Lopez. The Kenco Defendants are in the process of reaching out to Mr. Lopez to offer representation.**

B. Proceedings to Date

1. Summary of all substantive rulings (including discovery rulings) to date.
N/A
2. Description of all pending motions, including date of filing and briefing schedule. **Motions to Dismiss filed by Defendants on July 8, 2019. Briefing schedules not yet set.**

C. Discovery and Case Plan

1. Summary of discovery, formal and informal, that has already occurred.
Defendants Believe That Discovery is Premature Because Pending

Motions Could Dispose of Case in Entirety. Defendants Propose That The Parties Should Re-Visit the Setting of a Discovery Plan If the Complaint or Any Portions Thereof Survive Rule 12(b)(6) Motion Practice.

2. Whether discovery will encompass electronically stored information, and the parties' plan to ensure that such discovery proceeds appropriately.
3. Proposed scheduling order.
 - a. Deadline for Rule 26(a)(1) disclosures, or why Rule 26(a)(1) disclosures are not appropriate.
 - b. Deadline for issuing written discovery requests.
 - c. Deadline for completing fact discovery.
 - d. Whether discovery should proceed in phases.
 - e. Whether expert discovery is contemplated and, if so, deadlines for Rule 26(a)(2) disclosures and expert depositions.
 - f. Deadline for amending the pleadings and bringing in other parties.
 - g. Deadline for filing dispositive motions.
4. Whether there has been a jury demand.
5. Estimated length of trial.

D. Settlement

1. Describe settlement discussions to date and whether those discussions remain ongoing. **N/A**
2. Whether the parties request a settlement conference. **Not at this time.**

E. Magistrate Judge

1. Whether the parties consent to proceed before a magistrate judge for all purposes. **The Parties Do Not Consent to Proceed Before a Magistrate Judge for all purposes at this time.**
2. Any particular matters that already have been referred to the magistrate judge, and the status of those proceedings.

DATED: July 10, 2019

Respectfully submitted,

By: /s/ Jody Wilner Moran

Jody Wilner Moran
Julia P. Argentieri
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CERTIFICATE OF SERVICE

I, Julia P. Argentieri, an attorney, hereby certify that on July 10, 2019, I electronically filed a copy of the foregoing **INITIAL STATUS REPORT** with the Clerk of the Court using the CM/ECF system. I further certify that a copy of the foregoing has been mail and email to the following non-ECF participant:

Leonard Szplett
3421 W. 1500 NW Road
Kankakee, IL 60901
Stkbnd2000@aol.com

By: /s/ Julia P. Argentieri
One of the Attorneys for the Kenco
Defendants